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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 JOHN RUSH,

Plaintiff,

11 | VS.

12 | R. MOODY,

13 || Defendant.

Case No. 3:11-CV-00663-ECR-(WGC)

ORDER

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, see 28 U.S.C. § 1915(h), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 (#1). The court dismisses this action because plaintiff did not pay the filing fee, nor did he submit an application to proceed in forma pauperis with a financial certificate and a copy of his inmate account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

IT IS THEREFORE ORDERED that the clerk of the court shall send plaintiff a blank form for an application to proceed in forma pauperis for incarcerated litigants and a blank civil rights complaint form with instructions.

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1 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice to plaintiff's
2 commencement of a new action in which he either pays the filing fee in full or submits a complete
3 application to proceed in forma pauperis, accompanied by a signed financial certificate and a
4 statement of his inmate account. The clerk of the court shall enter judgment accordingly.

5 DATED: September 28, 2011.

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7 EDWARD C. REED
8 United States District Judge

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